IN THE HIGH COURT OF UTTARANHCAL AT NAINITAL

Writ Petition No. 3658 (S/S) of 2001
Old Number
Writ Petition No. 22663 of 1998

Ashok Kumar Sharma
S/o M.L. Sharma,
R/o G- 230, Nehru Colony,
Dharampur,
Dehradun. **…….Petitioner**

V e r s u s

1. Mussoorie Dehradun Development Authority, Dehradun.
2. State of U.P. through Secretary (Housing), Vikas Bhawan, Janpath Market, Lucknow.

…….Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Bhwnesh Joshi, holding brief of Sri Vivek Shukla, learned counsel for the petitioner and Ms. Puja Banga, holding brief of Sri Sudhanshu Dulia, Sr. Advocate, learned counsel for the respondent no. 1 and learned standing counsel for State of Uttaranchal on behalf of respondent no. 2.

By means of this writ petition, the petitioner has prayed to issue a direction to the respondents to fix pay and minimum wages to the petitioner, who is working as Supervisor with Mussoorie Dehradun Development Authority since long time.

Learned counsel for the petitioner has submitted that petitioner is still continuing as a daily wager on the post of Supervisor and in spite of the fact that posts of Supervisor are vacant in Mussoorie Dehradun Development Authority respondents are not considering the case of the petitioner for regularization and he is not being paid salary at par with other

employees working on the post of Supervisor with Mussoorie Dehradun Development Authority.

Similarly, situated persons have filed writ petition no. 1401 (S/S) of 2005 (Prem Chand Tyagi and others Vs. Mussoorie Dehradun Development Authority, Dehradun and another) before this Court and the aforesaid writ petition came before this court for final hearing on 08.06.2006. On that date, learned counsel for Mussoorie Dehradun Development Authority has submitted that services of some of the daily wagers have already been regularized by the Mussoorie Dehradun Development Authority and proposal for regularization of other persons including those who have not approached this court has already been submitted before Government for taking necessary action. Along with proposal a scheme has also been framed and sent before Government for approval.

Since the matter is still pending before the State Government, I direct the respondents to consider the claim of the petitioner also for regularization on the post of Supervisor, in case, petitioner is still continuing and he comes within the scheme and proposal sent by the Mussoorie Dehradun Development Authority to the Government.

With this direction the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

June 16, 2006
SKSharma